

# **EXHIBIT 7**

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StudiVZ Ltd., Holtzbrinck Networks GmbH,  
and Holtzbrinck Ventures GmbH

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

FACEBOOK, INC.,

Plaintiff,

v.

STUDIVZ LTD., HOLTZBRINCK  
NETWORKS GmbH,  
HOLTZBRINCK VENTURES  
GmbH, and DOES 1-25,

Defendants.

Case No. 5:08-CV-03468 JF

Assigned To: Honorable Jeremy Fogel

**STUDIVZ LTD.'S SUPPLEMENTAL  
RESPONSES TO FACEBOOK,  
INC.'S FIRST SET OF SPECIAL  
INTERROGATORIES**

Complaint Filed: July 18, 2008

PROPOUNDING PARTY: FACEBOOK, INC.

RESPONDING PARTY: STUDIVZ LTD.

SET NUMBER: ONE

1 is not entitled to take discovery on personal jurisdiction as a matter of right. In  
2 order to do so, Facebook must either make a *prima facie* showing of jurisdiction  
3 over StudiVZ, or it must identify material jurisdictional issues that are in dispute.  
4 Facebook has done neither. StudiVZ further objects to this interrogatory on the  
5 grounds that the definition of "YOU" is grossly overbroad. StudiVZ further objects  
6 to this interrogatory on the grounds that it is unlimited as to time, and is so  
7 overbroad as to be unduly burdensome and harassing. StudiVZ further objects to  
8 this interrogatory on the grounds that it is compound. StudiVZ further objects to  
9 this interrogatory on the grounds that it seeks information that is not relevant nor  
10 reasonably calculated to lead to the discovery of admissible evidence. StudiVZ  
11 further objects to this interrogatory on the grounds that it is not limited to trips,  
12 contacts or communications that occurred within the authorized course and scope of  
13 StudiVZ's business.

14 Notwithstanding the foregoing objections, and pursuant to agreements  
15 reached during the parties' "meet and confer," StudiVZ responds as follows:

16 The only travel of which StudiVZ is aware that was taken by an officer,  
17 director or employee of StudiVZ to California that was related to that officer's,  
18 director's or employee's work for StudiVZ is as follows: in 2006 Ehssan Dariani,  
19 Dennis Bemmann and Michael Brehm went together to California to negotiate with  
20 Facebook and another U.S. company about a proposed purchase of studiVZ. At the  
21 end of 2006, Michael Brehm visited Facebook in California one more time, this  
22 time by himself, in connection with those same negotiations with Facebook  
23 concerning Facebook's proposed purchase of StudiVZ. In 2008, Dennis Bemmann  
24 visited California for due diligence purposes during another attempt by Facebook to  
25 buy StudiVZ.

26  
27 **SPECIAL INTERROGATORY NO. 5:**

28 IDENTIFY, on a monthly basis, how many USERS OF STUDIVZ have been

1 registered at the www.studivz.net website, the www.meinvz.net website, the  
2 www.studiqq.fr website, the www.studiln.it website, the www.estudiln.net website,  
3 the www.studentix.pl website AND the www.schuelervz.net website since October  
4 2005, AND how many of those USERS OF STUDIVZ are residents of, OR  
5 PERSONS domiciled in, California.

6 **RESPONSE TO SPECIAL INTERROGATORY NO. 5:**

7 StudiVZ hereby incorporates by reference the general objections set forth  
8 above. StudiVZ further objects to this interrogatory on the grounds that a plaintiff  
9 is not entitled to take discovery on personal jurisdiction as a matter of right. In  
10 order to do so, Facebook must either make a *prima facie* showing of jurisdiction  
11 over StudiVZ, or it must identify material jurisdictional issues that are in dispute.  
12 Facebook has done neither. StudiVZ further objects to this interrogatory on the  
13 grounds that it is overbroad as to time.

14 Notwithstanding the foregoing objections, and pursuant to agreements  
15 reached during the parties' "meet and confer," StudiVZ responds as follows:

16 StudiVZ cannot go back into time to search its user records to determine on  
17 any given date the number of users it has who are residents of California or who  
18 have identified some affiliation with a California college or university. It can only  
19 conduct such a search on a then-current basis. StudiVZ conducted two such  
20 searches in October 2008 in connection with its then-anticipated motion to dismiss,  
21 which has since been filed. The first was conducted on or about October 14, 2008.  
22 At that time, there were a total of 11,628,863 users of all StudiVZ Websites. Only  
23 10,272 of those users had identified themselves as being affiliated with California  
24 or a California-located university. Specifically, out of the 5,509,971 registered  
25 users of the StudiVZ- branded sites, only 8,547 identified themselves as affiliated  
26 with universities located in California. Out of the 4,396,184 registered users of the  
27 SchuelerVZ-branded sites, only 122 identified themselves as being located in  
28 California. Out of the 1,722,708 registered users of the MeinVZ-branded sites,

1 only 1,603 identified themselves as being located in California.

2 The second search was done on or about October 22, 2008. At that time,  
3 there were a total of 11,768,965 users of all StudiVZ Websites. Only 11,013 of  
4 those users had identified themselves as being affiliated with California or a  
5 California-located university. Specifically, out of the 5,534,300 registered users of  
6 the StudiVZ-branded sites, only 9,144 had identified themselves as affiliated with  
7 universities located in California. Out of the 4,443,708 registered users of the  
8 SchuelerVZ-branded sites, only 122 identified themselves as being located in  
9 California. Out of the 1,790,957 registered users of the MeinVZ-branded sites, only  
10 1,747 identified themselves as being located in California.

11  
12 **SPECIAL INTERROGATORY NO. 6:**

13 IDENTIFY the number AND amount of accounts receivable owed YOU by  
14 PERSONS that, OR who are, California residents OR PERSONS domiciled in  
15 California. In doing so, IDENTIFY the goods AND services for which the  
16 individual accounts receivable are owed.

17 **RESPONSE TO SPECIAL INTERROGATORY NO. 6:**

18 StudiVZ hereby incorporates by reference the general objections set forth  
19 above. StudiVZ further objects to this interrogatory on the grounds that a plaintiff  
20 is not entitled to take discovery on personal jurisdiction as a matter of right. In  
21 order to do so, Facebook must either make a *prima facie* showing of jurisdiction  
22 over StudiVZ, or it must identify material jurisdictional issues that are in dispute.  
23 Facebook has done neither. StudiVZ further objects to this interrogatory on the  
24 grounds that the definition of "YOU" is grossly overbroad. StudiVZ further objects  
25 to this interrogatory on the grounds that it is compound.

26 Notwithstanding the foregoing objections, and pursuant to agreements  
27 reached during the parties' "meet and confer," StudiVZ responds as follows:

28 As of July 18, 2008, StudiVZ did not have any accounts receivable that were

1 on the grounds that it seeks information that is not relevant nor reasonably  
2 calculated to lead to the discovery of admissible evidence. StudiVZ further objects  
3 to the interrogatory on the grounds that it infringes upon the users' privacy rights.

4 Notwithstanding the foregoing objections, and pursuant to agreements  
5 reached during the parties' "meet and confer," StudiVZ responds as follows:

6 StudiVZ's websites are accessible from any and all colleges, universities and  
7 institutions of higher learning that provide internet access all over the world,  
8 including California. But StudiVZ does not specifically target its activities at  
9 colleges, universities or institutes of higher learning in California.

10 DATED: December 24, 2008

GREENBERG GLUSKER FIELDS  
CLAMAN & MACHTINGER LLP

11 By: 

12 STEPHEN S. SMITH  
13 WILLIAM M. WALKER  
14 Attorneys for Defendants StudiVZ  
15 Ltd., Holtzbrinck Networks GmbH,  
16 and Holtzbrinck Ventures GmbH  
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VERIFICATION

I, Michael Brehm, declare as follows:

I have read the foregoing "STUDIVZ LTD.'S SUPPLEMENTAL RESPONSES TO FACEBOOK, INC.'S FIRST SET OF SPECIAL INTERROGATORIES" and know the contents therein. I am the Chief Operating Officer of StudiVZ, Ltd. The matters stated therein are either true of my own knowledge or I am informed and believe them to be true.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed at Berlin, Germany on December 24, 2008.

  
Michael Brehm

1 **PROOF OF SERVICE**

2 CCP §1011, CCP §1013a(3)

3 **STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

4 I am employed in the county of Los Angeles, State of California.

5 I am over the age of 18 and not a party to the within action; my business address is 1900 Avenue of the  
6 Stars, Suite 2100, Los Angeles, California 90067-4590.

7 On December 24, 2008, I served the foregoing document described as **STUDIVZ LTD.'S  
8 SUPPLEMENTAL RESPONSES TO FACEBOOK, INC.'S FIRST SET OF  
9 SPECIAL INTERROGATORIES** on the interested parties in this action

10 ☒ by placing ☒ the **original** ☒ a true copy thereof enclosed in sealed envelopes addressed as follows:

11 Thomas Gray, Esq. (**ORIGINAL**)  
12 Orrick, Herrington & Sutcliffe LLP  
13 4 Park Plaza, Suite 1600  
14 Irvine, CA 92614-2558

Attorneys for Plaintiff Facebook, Inc.

15 Gary E. Weiss, Esq. (**COPY**)  
16 gweiss@orrick.com  
17 Orrick, Herrington & Sutcliffe LLP  
18 1000 Marsh Road  
19 Menlo Park, CA 94025

20 **BOTH BY E-MAIL AND U.S. MAIL:**

21 ☒ As follows: I am "readily familiar" with the firm's practice of collection and processing  
22 correspondence for mailing. Under that practice it would be deposited with U.S. postal service  
23 on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary  
24 course of business. I am aware that on motion of the party served, service is presumed invalid if  
25 postal cancellation date or postage meter date is more than one day after date of deposit for  
26 mailing in affidavit. A true and correct copy of the document was also e-mailed to Thomas Gray,  
27 Esq., tgray@orrick.com, and to Gary E. Weiss, Esq. at gweiss@orrick.com.

28 Executed on December 24, 2008, at Los Angeles, California.

**BY PERSONAL SERVICE:**

☐ I delivered such envelope by hand to the offices of the addressee.

Executed on \_\_\_\_\_, at Los Angeles, California.

☒ (Fed) I declare that I am employed in the office of a member of the bar of this court at whose direction  
the service was made.

Nancy L. Luis

  
SIGNATURE

**PROOF OF SERVICE**